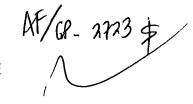


IN THE U.S. PATENT AND TRADEMARK OFFICE (Docket No. 14136)



In the Application of:)
ALLAN S. HODGSON et al.) Examiner: Mehrdad Dastouri
Serial No. 08/879,322) Art Unit: 2723
·)
Filed: June 20, 1997)
For: MEASUREMENT OF FRUIT PARTICLES)

Dear Sir:

In support of the Applicants' appeal from the rejection of the pending claims, Applicants are submitting the following:

- 1. Appellants' Brief (original and three copies);
- 2. Petition for Extension to Time;
- 3. Fee Transmittal for FY 1999 (PTO/SB/17); and
- 4. Check in the amount of \$680 (\$380 for extension for reply within second month and \$300 for filing a brief in support of an appeal)

Respectfully submitted,

Terrence W. McMillin Registration No. 30,476

Attorney for Applicant

October 12, 1999

GERSTMAN, ELLIS & McMILLIN, LTD. 2 North LaSalle Street Suite 2010 Chicago, Illinois 60602 (312) 263-4350

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231, ON October 12, 1999.

REGISTERED ATTORNEY FOR APPLICANT

October 12, 1999 DATE

WEAT & THAD THE PTO/SB/17 (12-98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Hatent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Laser the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

'RANSMITTAL

Patent fees are subject to annual revision. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

TOTA	L AMO	UNT OF	PAYM	ENT

(\$)	680	00

Complete if Known			
Application Number	S/N 08 / 879.322		
Filing Date	June 20, 1997		
First Named Inventor	Allan Hodgson et al.		
Examiner Name	Mehrdad Dastouri		
Group / Art Unit	2723		
Attorney Docket No.	14136		

Deposit Account

User ID

METHOD OF PAYMENT (check one)		FEE CALCULAT	FION (continued)	
The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit	3. ADDITIONAL Large Entity Small I Fee Fee Fee Code (\$) Code	FEES Entity Fee Fee D	escription	Fee Paid
Account Number 07-1141		65 Surcharge - late fi	ling fee or oath	
Deposit Account Name GERSTMAN, ELLIS & MCMILLI	127 50 227	25 Surcharge - late p cover sheet.	provisional filing fee or	
Charge Any Additional	139 130 139 1	30 Non-English spec	ification	
Fee Required Under 37 CFR 1.16 and 1.17	147 2,520 147 2,5	520 For filing a reques	t for reexamination	
	112 920° 112 9	920* Requesting public Examiner action	ation of SIR prior to	
2. X Payment Enclosed: X Check Order Other	113 1,840* 113 1	,840* Requesting public Examiner action	ation of SIR after	
	115 110 215	55 Extension for repl	y within first month	
FEE CALCULATION	116 380 216 1	90 Extension for rept	y within second month	380
1. BASIC FILING FEE Large Entity Small Entity	117 870 217 4	35 Extension for repl	y within third month	
Fee Fee Fee Fee Description Code (\$) Code (\$) Fee Paid	118 1,360 218 6	80 Extension for repl	y within fourth month	
101 760 201 380 Utility filing fee	128 1,850 228 92	5 Extension for repl	y within fifth month	
106 310 206 155 Design filing fee	119 300 219 1	50 Notice of Appeal		
107 480 207 240 Plant filing fee	120 300 220 1	50 Filing a brief in su	pport of an appeal	300
108 760 208 380 Reissue filing fee	121 260 221 1			
114 150 214 75 Provisional filing fee	138 1,510 138 1,5		e a public use proceeding	
	140 110 240	55 Petition to revive	- unavoidable	
SUBTOTAL (1) (\$)	141 1,210 241 6			
2. EXTRA CLAIM FEES Fee from	142 1,210 242 6		r reissue)	
Extra Claims below Fee Paid	143 430 243 2	·		
Total Claims20** = X =		90 Plant issue fee		
Claims L ^ L ^ L	122 130 122 1	50		5'
Multiple Dependent		40	o provisional applications),
**or number previously paid, if greater; For Reissues, see below Large Entity Small Entity	H		ormation Disclosure Stmt	
Fee Fee Fee Fee Description	581 40 581	40 Recording each p	atent assignment per	7
Code (\$) Code (\$) 103 18 203 9 Claims in excess of 20	146 760 246 3	200	on after final rejection	10 0
102 78 202 39 Independent claims in excess of 3		(37 ČFR 1.129(a)) ⇒ ,	F 21
104 260 204 130 Multiple dependent claim, if not paid	149 760 249 3	For each addition examined (37 CF	al invention to be	- M
109 78 209 39 ** Reissue independent claims over original patent	Other fee (specify) _	examined (37 Of	3	
110 18 210 9 ** Reissue claims in excess of 20 and over original patent	Other fee (specify)			
SUBTOTAL (2) (\$)	Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 680			
SUBMITTED BY Complete (if applicable)				
Typed or				
Printed Name Terrence W. McMilli	11		1a	,4/0

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Date

10/12

Tenere W. he h

Signature